

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Research and Development Institute Inc. *et al.* )  
)  
Application No.: PCT/US99/15129 )  
) Examiner: Unassigned  
Filed: July 2, 1999 )  
) Group Art Unit: Unassigned  
For: *IN VIVO* ADDITION OF TELOMERIC REPEATS )  
)  
TO EXOGENOUS DNA GENERATES )  
)  
EXTRACHROMOSOMAL DNAs IN THE FUNGUS )  
*PESTALOTIOPSIS* )

Attention: International Division, Legal Staff  
Box PCT  
Commissioner of Patents  
Washington, D.C. 20231

Sir:

RECEIVED  
15 FEB 2002  
Legal Staff  
International Division

**PETITION FOR REVIVAL OF AN INTERNATIONAL APPLICATION FOR PATENT  
DESIGNATING THE U.S. ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

The above-identified application became abandoned as to the United States because the elements noted at 35 U.S.C. 371(c) were not filed prior to the expiration of the applicable time limit noted at 37 CFR 1.495(b). The date of abandonment is January 3, 2001 (*i.e.*, the day after the date on which the 35 U.S.C. 371(c) requirements were due; see 37 CFR 1.495(h)). A Notice of Abandonment is not involved under these circumstances.

Applicants hereby petition for revival of this application and include the following items:

1. Petition fee under 37 C.F.R. § 1.17(m)  
☒ Enclosed is a check in the amount of \$1280.00.  
☐ The Commissioner is hereby authorized to charge \$0.00 to Deposit Account 50-0310.
2. Proper Response  
12/31/2001 SNAJARRO 00000018 10018551  
05 FC:141 1280.00 DP  
A. The proper response (the missing 35 U.S.C. 371(c) requirements in the form of a Transmittal Letter, national stage application and basic national filing fee under 37 CFR § 1.492(a)(3)) is enclosed herewith.

## 3. Terminal disclaimer with disclaimer fee

☒ [X] Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ [ ] A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity of \$ \_\_\_\_\_ for other than a small entity) equivalent to the number of months from abandonment to the filing of this petition is enclosed herewith.

## 4. Statement. The entire delay in filing 35 U.S.C. 371(c) requirements from their due date until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: \_\_\_\_\_



Erich E. Veitenheimer, III

Reg. No. 40,420

Date: December 20, 2001

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